

REMARKS

Favorable reconsideration and allowance of the subject application are respectfully requested. Claims 1-9 are pending in the present application, with claims 1, 3, 4 and 9 being independent. Claim 9 has been added by this amendment, which does not add any new subject matter.

***Allowable Subject Matter***

Applicants note with appreciation the Examiner's indication on page 4 of the Office Action that claims 4-8 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claim 4 has been rewritten in independent format and therefore, claims 4-8 should now be considered allowed. Furthermore, for at least the reasons detailed below, Applicants respectfully submit that all pending claims should be considered allowable.

***Drawings***

The Examiner objected to the drawings, stating that Figs. 6B, and 7-11 should be designated by a legend. Applicants submit herewith replacement figures, in which the legend "Prior Art" has been added to Figs. 6B, and 7-11.

Accordingly, withdrawal of the objection to the drawings is

respectfully requested.

***Claim Rejections Under 35 U.S.C. §102***

The Examiner rejected claims 1 and 2 under 35 U.S.C. 102(b) as being anticipated by Watanabe et al. (JP 09-055487); and claims 1-3 under 35 U.S.C. 102(b) as being anticipated by Ueda (JP 09-284617). These rejections are respectfully traversed insofar as they pertain to the presently pending claims.

**1. Watanabe**

Watanabe is directed to an image pickup device that includes a lens unit 25 that is mounted on a circuit board 22, which in turn is mounted on an image pick-up element 20.

In rejecting claims 1 and 2, the Examiner alleges that Watanabe teaches the recited features. Applicants, however, respectfully disagree.

Applicants respectfully submit that Watanabe fails to teach or suggest at least a supporting member that directly abuts a first surface of an image pickup element, whereby the first surface of an image region (which converts an image into an electrical signal) is in the same plane as the first surface, as generally recited in independent claim 1.

Referring to Figs. 1-5 of Watanabe, it can be clearly seen that the sensor chip 11 is not in the same plane as an upper

surface of the frame member 16 and thus cannot directly abut the circuit board 22 (see Fig. 3 of Watanabe for further details).

Thus, it should now be clear that Watanabe does not anticipate claims 1 or 2. Accordingly, withdrawal of the rejection is respectfully requested.

2. Ueda

As noted above, the Examiner alleges that Ueda anticipates claims 1-3. Ueda is directed to an image pickup device that has an imaging lens 54 and an image pickup element 12 mounted on a circuit board 51 (see Figs. 42 and 43).

Applicants respectfully submit that Ueda does not teach or suggest: (1) a supporting member that directly abuts a first surface of an image pickup element, whereby the first surface of an image region (which converts an image into an electrical signal) is in the same plane as the first surface, as generally recited in independent claim 1; or (2) a first holding member and a supporting member that has a first abutment portion on an upper surface that directly abuts the optical system and a second abutment portion formed on a lower surface that directly abuts the image pickup element, whereby the upper surface and lower surface of the supporting member are opposite to one another as generally recited in independent claim 3.

Referring again to Fig. 42 of Ueda, it can be clearly seen that circuit board 51 does not directly abut an upper surface of

the image pickup element 12. In fact, a lower surface of the image pickup element 12 of Ueda abuts the circuit board 51. However, this lower surface is not formed in the same plane as an image region, which converts the image into an electrical signal. Thus, it should now be clear that Ueda does not anticipate claim 1.

Regarding claim 3, the Examiner alleges that claim 3 supposedly teaches an image pickup element as the CCD 12, an optical system as the lens 54, a supporting member as the circuit board 51, and a first holding member as the black resin 66.

The system of Ueda, however, does not teach, as noted above, that the CCD 12 is provided on a lower surface of the circuit board 51. Ueda has a configuration (shown in Fig. 42) in which the imaging lens 54, the black resin 66, and the CCD 12 are all in contact with only one surface of the circuit board 51. Thus, Ueda does not anticipate independent claim 3.

For the Examiner's consideration, Applicants also provide an excerpt of the relevant section (paragraph [00167]) of Ueda, which is as follows:

[0167] Alternatively, as shown in Fig. 42, the CCD bear chip 12 may be mounted on the circuit board 51. The image-forming lens 54 may also be mounted on the circuit board 51 and the outer periphery of the circuit board 51 and the image-forming lens 54 may be molded with a black resin 66.

Accordingly, because neither Watanabe nor Ueda teach or suggest all of the combination of elements as recited in claims 1-

3, Applicants respectfully request that the Examiner withdraw the rejection.

New claim 9 should be considered allowable at least because the cited art fails to teach or suggest the combination of elements including "a first holding member that engages said optical system and said supporting member such that said optical system and said supporting member are sandwiched between the first holding member and the image pickup element," as recited in claim 9.

Conclusion

In view of the above amendments and remarks, this application appears to be in condition for allowance and the Examiner is, therefore, requested to reexamine the application and pass the claims to issue.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Martin Geissler (Reg. 51,011) at telephone number (703) 205-8000, which is located in the Washington, DC area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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Attachment: Replacement Drawings (4 Sheets)